

224.1-530 Screening levels relating to remediation -- Tiered remediation management -- Administrative regulations.

- (1) Notwithstanding any provision of law or administrative regulation to the contrary, the numerical values contained in the most current version of the document titled "Regional Screening Level (RSL) Table" published by the United States Environmental Protection Agency's Region 3 as of June 8, 2011, are hereby established as screening levels and shall be used by the cabinet in conformance with the guidance set out in the Risk-Based Concentration Table User's Guide. It is not the intent of this section to establish these levels as the cleanup standards for individual contaminants that may be present at any site.
- (2) Within one (1) year from June 21, 2001, the cabinet shall promulgate regulations establishing standards under KRS 224.1-400 and 224.1-405 with respect to hazardous substances, pollutants, contaminants, petroleum, or petroleum products, that are protective of human health, safety, and the environment.
- (3) Within one (1) year from June 21, 2001, the cabinet shall promulgate a regulation defining tiered remediation management options that account for the following:
 - (a) Current and proposed land use;
 - (b) Zoning, if applicable, of the property and surrounding properties; and
 - (c) The nature and extent of the contamination.
- (4) The cabinet may promulgate administrative regulations that adopt and incorporate updated versions of the Regional Screening Level (RSL) Table to be used under this section.
- (5) Nothing in this section shall affect or impair the ability of the cabinet to implement and enforce the provisions of KRS 224.1-400 and 224.1-405.
- (6) Nothing in this section shall be construed to limit the options available to the applicant under KRS 224.1-400(18) to 224.1-400(21).

Effective: June 8, 2011

History: Amended 2011 Ky. Acts ch. 86, sec. 1, effective June 8, 2011. -- Created 2001 Ky. Acts ch. 128, sec. 11, effective June 21, 2001.

Formerly codified as KRS 224.01-530.